

APPENDIX G
SAMPLE RAB OPERATING PROCEDURES

Operating Procedures
for (name of FUDS property)
Restoration Advisory Board

1. Mission Statement of (name of FUDS property) Restoration Advisory Board (RAB). The mission of the (name of FUDS property) RAB is to establish and maintain a forum with all stakeholders for the exchange of information in an open and interactive dialogue concerning the environmental restoration activities at (name of FUDS property). The RAB will review technical documents and provide comments and advice to the U.S. Army Corps of Engineers (USACE), (name of district), on the proposed environmental restoration activities.
2. Responsibilities of the RAB. Responsibilities of the RAB are as follows:
 - a. Provide advice on environmental restoration issues to USACE and regulatory agencies.
 - b. Hold regularly scheduled meetings that are open to the public and held at convenient times and locations, normally after duty hours.
 - c. Prepare public notices to promote public participation in RAB meetings.
 - d. Review, evaluate, and provide comments to the (name of district), USACE, on documents related to environmental restoration activities.
 - e. Identify applicable cleanup standards presented in the Comprehensive Environmental Response, Compensation and Liability Act and other applicable city, county, state, and Federal law and recommend cleanup levels consistent with planned reuse.
 - f. Recommend priorities among FUDS projects.
 - g. Record minutes of RAB meetings and make them available to interested parties.
 - h. Develop RAB mission statement and operating procedures.
3. RAB membership will consist of members from USACE, other Federal, state, and local regulatory agencies, and the local community. RAB membership will reflect the diversity of the community.

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a. Community members may be drawn from, but are not limited to, the local community (including residents; various local government agencies; businesses; school districts; local environmental groups (including activist groups); civic/public interest organizations; religious groups; local regulatory agencies; Homeowners Associations; the medical community; the economically disadvantaged; African-American, Native American, Hispanic, and other minority groups; other state and Federal governments; trustees; and local and tribal governments). Community members will provide information, seek independent technical advice when appropriate and feasible, communicate public concerns to the RAB, and provide information and progress reports to the public.

b. Other RAB members will be as follows:

(1) USACE Co-Chair. Responsibilities of the USACE Co-Chair (i.e., the project manager (PM) or some other, higher-level USACE manager) are listed in paragraph 7a below.

(2) State Regulatory Agencies. Responsibilities of the state regulatory agency member(s) are listed in paragraph 7d below.

(3) U.S. Environmental Protection Agency (EPA). Responsibilities of the EPA member(s) are listed in paragraph 7e below.

4. RAB Formation. General guidelines applicable to the formation of a RAB are as follows:

a. A RAB will consist of no more than 20 members.

b. A selection panel made up of community members will recommend RAB members to the USACE district Commander (name of FUDS property and name of district) for approval.

c. RAB members will serve a (stipulate 1- or 2-year) term. RAB members may submit an application to serve another term (not to exceed 2 years) when their first term has been completed. Total service will not exceed 4 years.

d. A Community Co-Chair will be elected by the RAB members. The procedures for conducting this election are specified in paragraph 6 below. The Community Co-Chair will serve a 1-year term, with re-election limited to one additional term.

e. The PM or some other, higher-level USACE manager designated by the district Commander will serve as the USACE Co-Chair.

5. RAB Meetings. RAB members will comply with the following meeting procedures:

a. Each community member will have one vote on the RAB's operating procedures in RAB meetings. Minutes of each RAB meeting will be recorded for inclusion in the Administrative Record.

b. Each RAB member will act individually in discussions, in providing comments on documents, and in providing advice to USACE. The RAB is not an advisory committee, as that term is used in the Federal Advisory Committee Act. All advice will be offered by RAB members as individuals and is not to be construed as "consensus" advice.

c. Regular, ontime attendance is a requirement for continued RAB membership. The RAB will meet once a month or any other period specified in the RAB operating procedures. Members are expected to attend every meeting. After a member has missed two meetings without appropriate explanation, the USACE and Community Co-Chairs will send a 14-day written notice to the member requesting written explanation within 14 days, of these absences and indicating that after three missed meetings, the RAB will assume that the member is no longer interested and will terminate his or her membership.

d. Member participation will follow a process similar to that presented in Robert's Rules of Order. An agenda will be followed at RAB meetings, with full and open discussions encouraged. A time for public comments or questions from the public on matters not included in the agenda will be held either at the beginning or near the end of the meeting. An effort should be made to complete the agenda, including public comments and questions, between (state specific beginning and ending times). A Co-Chair will ask the members for a motion to adjourn and approval of such motion in order to end each meeting.

e. The RAB will encourage public participation. Co-Chairs, or other designated representatives, will respond to questions raised by the public. If sufficient information is not available to provide an accurate response at the meeting, the issue will be recorded in the meeting transcript. A written response to all issues raised will be provided. The response provided will be an agenda item for discussion at the next regularly scheduled meeting. All public comments will be considered by the RAB and recorded in the meeting transcript.

f. RAB community members must have prior approval of the RAB before speaking for the RAB during press interviews or other public relations activities.

g. When a RAB member is unable to participate in RAB meetings, the member should submit a written resignation to a RAB co-chairperson. Resigning members may nominate new members to replace themselves. Replacement members will also be sought from those individuals who were notified of their nonselection when they initially completed the community interest forms. New members must continue to reflect the diversity of the community.

h. A Procedures Committee will be established to resolve issues regarding compliance with the operating procedures and to accept proposals from RAB members to change the procedures. This committee will be composed of the two Co-Chairs and one RAB member appointed by the RAB.

i. A Nomination Committee will be established to accept nominations for election of the Community Co-Chair. The procedures for conducting the election are listed in paragraph 5 below.

j. Disputes within the RAB will be resolved by means of a three-step process. First, the RAB Co-Chairs will attempt to resolve the issue. When these efforts are not successful, an independent facilitator may be brought in to resolve the issue. Disputes which cannot be resolved by the Co-Chairs or a facilitator may be formally presented to the USACE district Commander for resolution.

k. A quorum of RAB members must be present in order to hold a RAB meeting. A quorum is defined as both Co-Chairs, one regulatory agency member, and 51 percent of the remaining RAB members.

6. Election of Community Co-Chair. An election will be held in (specify month) of each year to elect a Community Co-Chair. The Community Co-Chair will be elected by a majority vote of the community RAB members, by written ballot. A Nomination Committee consisting of three RAB members will be appointed in (specify month) by the existing Community Co-Chair to recommend a nominee for the Community Co-Chair position for the upcoming year. Other members may be nominated from the floor at the (specify month) RAB meeting. Write-in candidates and self-nomination are other avenues for election to the Community Co-Chair position. The Nomination Committee will count the written ballots and announce the results at the (specify month) RAB meeting. The Co-Chair elect will assume the position at the (specify month) RAB meeting.

7. RAB Member Responsibilities.

a. Responsibilities of the USACE Co-Chair are as follows:

(1) Coordinate with the Community Co-Chair to prepare and distribute an agenda prior to each RAB meeting.

(2) Communicate with all RAB members regarding environmental restoration activities at (name of FUDS property).

(3) Publicly announce RAB meetings at least 15 days prior to and on the day preceding the meeting dates.

- (4) Ensure that USACE participates in an open and constructive manner.
- (5) Ensure that RAB members are educated and trained regarding their responsibilities as a member of the RAB.
- (6) Ensure that the RAB is provided access to documents for its review and comment. Ensure that an adequate review period is allowed for the RAB members. Ensure that documents distributed to the RAB are also made available to the public.
- (7) Maintain a mailing list of interested and affected parties in the environmental restoration activities at (name of FUDS property).
- (8) Ensure that adequate administrative and technical support is provided to the RAB.
- (9) Ensure that community issues and concerns related to environmental restoration activities are addressed when raised.
- (10) Ensure that the RAB is fully informed during all phases of the environmental restoration process and that it has opportunities to participate in advising decision makers before final decisions are made.
- (11) Provide all relevant guidance documents to the RAB to enhance the operation of the RAB.
- (12) Report back to the USACE district and refer issues not related to environmental restoration to appropriate officials for action.

b. Responsibilities of the Community Co-Chair are as follows:

- (1) Coordinate with the USACE Co-Chair and the RAB members to prepare and distribute an agenda prior to each RAB meeting.
- (2) Coordinate, as required, with the USACE Co-Chair to ensure that RAB questions and concerns are answered in an appropriate and timely manner.
- (3) Encourage open and constructive community participation at RAB meetings.
- (4) Ensure that RAB members are trained regarding their responsibilities as RAB members.
- (5) Communicate with RAB members regarding environmental restoration activities.

(6) Ensure that community issues and concerns related to environmental restoration are adequately addressed and that relevant information is communicated back to the community.

(7) Assist in the dissemination of information to the general public.

(8) Serve without compensation.

c. Responsibilities of RAB community members are as follows:

(1) Attend RAB meetings as required by the RAB operating procedures.

(2) Provide advice on environmental restoration activities to decision makers.

(3) Communicate community interests and concerns to the RAB.

(4) Serve as a conduit for the flow of information among the community, the USACE district, and other involved Federal, state, and local agencies regarding the environmental restoration issues at (name of FUDS property).

(5) Review, evaluate, and provide comments on documents related to environmental restoration activities.

(6) Serve without compensation.

d. Responsibilities of state regulatory agency member(s) are as follows:

(1) Attend RAB meetings as required by RAB operating procedures.

(2) Serve as an information, referral, and resource bank for the community, the USACE district, and other involved Federal, state, and local agencies regarding environmental restoration activities at (name of FUDS property).

(3) Review and provide comments on documents and other materials related to environmental restoration activities.

(4) Ensure that state environmental standards and regulations are identified and addressed by USACE.

(5) Facilitate flexible and innovative resolutions of environmental issues and concerns.

(6) Assist in the training of RAB members.

e. Responsibilities of the EPA member(s) are as follows:

- (1) Attend RAB meetings as required by RAB operating procedures.
- (2) Serve as an information, referral, and resource bank for the community, the USACE district, and other involved Federal, state, and local agencies regarding environmental restoration activities at (name of FUDS property).
- (3) Facilitate flexible and innovative resolutions of environmental issues and concerns.
- (4) Ensure that Federal environmental standards and regulations are identified and addressed by USACE.
- (5) Assist in the training of RAB members.

8. Amendments to RAB Operating Procedures. Amendments to RAB operating procedures may be made with a three-fourths majority vote of a quorum of all RAB members. Proposed amendments will be referred to a Procedures Committee for evaluation and recommendation. Proposals will be voted on by all RAB members after they receive the Procedures Committee's written recommendations. These recommendations will be provided to the RAB members at least 20 days prior to the meeting in which the proposed amendments will be addressed.